

JP:MKM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

**12 M 698**  
REMOVED TO THE  
SOUTHERN DISTRICT OF  
FLORIDA

- against -

GARTH COURTNEY BENNETT,

(Fed. R. Crim. P. 5)

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

SANDY RAO, being duly sworn, deposes and states that he is a Deputy United States Marshal, duly appointed according to law and acting as such.

On or about January 25, 2012, an arrest warrant was issued by the United States District Court for the Southern District of Florida commanding the arrest of the defendant GARTH COURTNEY BENNETT for a violation of supervised release, pursuant to Title 18, United States Code, Section 3583.

The source of your deponent's information and the grounds for his belief are as follows:

1. On or about July 7, 2011, the defendant GARTH COURTNEY BENNETT was convicted in the Southern District of Florida for Visa Fraud in violation of 18 U.S.C. § 1546(a) and sentenced to time served and two years of supervised release.

2. On January 25, 2012, the District Court for the Southern District of Florida issued an arrest warrant for the defendant GARTH COURTNEY BENNETT for violating the conditions of


his supervised release. A copy of the arrest warrant from the Southern District of Florida and a copy of the underlying Petition to the Court, are attached hereto.

3. On July 25, 2012, members of the United States Marshals Service Regional Fugitive Task Force ("RFTF") proceeded to an address in Queens, New York, at which the defendant was suspected of residing. RFTF members showed a photograph of the defendant to the home owner, who stated that she knows the person as "Courtney Bennett." RFTF members departed the area and left contact information.


4. A few hours later, on July 25, 2012, RFTF members received a telephone call from a man claiming to be the defendant GARTH COURTNEY BENNETT. The man agreed to come to the Eastern District of New York courthouse.

5. The defendant GARTH COURTNEY BENNETT arrived at the Eastern District of New York courthouse at approximately 12:30 p.m. on July 25, 2012, and was taken into custody. The defendant was then fingerprinted and his fingerprints were found to match those taken at the time of the arrest underlying the July 7, 2011 conviction of the defendant GARTH COURTNEY BENNETT in the Southern District of Florida.

WHEREFORE, it is requested that the defendant GARTH COURTNEY BENNETT be dealt with according to law.

  
\_\_\_\_\_  
SANDY RAO  
Deputy Marshal  
United States Marshals Service

Sworn to before me this  
25th day of July, 2012

  
\_\_\_\_\_  
HONORABLE CHERYL L. POLLAK  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

PROB 19a

SD/FL FACTS No. 108409

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDACASE NO. 11-20404-CR-LENARD

U.S.A. vs GARTH COURTNEY BENNETT

2233112

TO: ANY UNITED STATES MARSHAL OR AUTHORIZED REPRESENTATIVE

## WARRANT FOR ARREST OF SUPERVISED RELEASEE

You are hereby commanded to arrest the within-named supervised releasee and bring him or her, forthwith, before the United States District Court to answer charges that he or she violated the conditions of his or her supervised release imposed by the court.

NAME OF SUPERVISED RELEASEE

Garth Courtney Bennett

95267-004

SEX

Male

RACE

Black

AGE

ADDRESS (STREET CITY STATE)

SUPERVISED RELEASE IMPOSED BY (NAME OF COURT)

SOUTHERN DISTRICT OF FLORIDA

DATE IMPOSED

07/07/2011

TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE)

SOUTHERN DISTRICT OF FLORIDA, MIAMI

CLERK

Steven M. Larimore

(BY) DEPUTY CLERK

DATE

1/25/12

## RETURN

Warrant received and executed.

DATE RECEIVED

DATE EXECUTED

EXECUTING AGENCY (NAME AND ADDRESS)

NAME

(BY)

DATE

Insert designation of officer to whom the warrant is issued, e.g. "any United States Marshal or any other authorized officer;" or "United States Marshal for Southern District of Florida;" or "any United States Marshal;" or "any Special Agent of the Federal Bureau of Investigation;" or "any United States Marshal or any Special Agent of the Federal Bureau of Investigation;" or "any agent of the Alcohol Tax Unit."

Case 1:11-cr-20404-JAL Document 19 (Court only) Entered on FLSD Docket 01/25/2012  
PROB 12C Page 1 of 2 SD/FL PACTS No. 108409  
(SD) PL 3/05

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-20404-CR-LENARD

**PETITION FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION**

Name of Offender: Courtney Garth Bennett

Name of Sentencing Judicial Officer: The Honorable Joan A. Lenard, U. S. District Judge, Miami, FL

Date of Original Sentence: July 7, 2011

Original Offense: Fraud and Misuse of Visa and Other Documents, 18, U.S.C. § 1546(a), a Class C felony.

Original Sentence: Time served in Bureau of Prisons followed by two (2) years of supervised release. Special condition, surrender to immigration for removal after imprisonment.

Type of Supervision: Supervised Release

Date Supervision Commenced: July 11, 2011

Assistant U.S. Attorney:  
Michael Garofola  
99 Northeast 4 Street  
Miami, Florida 33132  
305-961-9151

Defense Attorney:  
Kashyap Patel, AFD  
150 West Flagler Street, Suite 1700  
Miami, Florida 33130  
305-533-4179

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**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

- | <u>Violation Number</u> | <u>Nature of Noncompliance</u>   |
|-------------------------|--|
| 1.                      | <u>Violation of Mandatory Condition</u> , by failing to report to the probation office as directed by the Court and the Bureau of Prisons. On August 4, 2011, the defendant was released on parole from the custody of Immigration and Customs Enforcement and the offender failed to report within 72 hours of his release. |

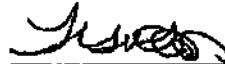
Case 1:11-cr-20404-JAL Document 19 (Court only) Entered 01/25/2012  
PROB 12C FLSD Docket 01/25/2012  
(SD/FL 3/05) Page 2 of 2 SD/FL FACTS No. 108409


**U.S. Probation Officer Recommendation:**

- ☒ The term of supervision should be revoked.  
☐ extended for \_ years, for a total term of \_ years.  
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

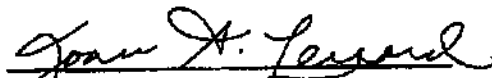
Executed on 1-23-12



Teresa L. Graham  
U.S. Probation Officer  
Phone: 305-523-5355 

**THE COURT ORDERS:**

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Submit a Request for Modifying the Conditions or Term of Supervision

  
Signature of Judicial Officer

1/25/11  
Date